

WJ

# United States District Court

3

EASTERN

DISTRICT OF

MICHIGAN

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

V.

CASE NUMBER:

Mohamad Ali Fawaz

05-80384

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about May 25, 2002 in Wayne county, in the Eastern District of Michigan defendant(s) did, (Track Statutory Language of Offense)

knowingly enter into a marriage with Amal Hussein Fawaz for the purpose of evading a provision of the immigration laws, namely to thereby unlawfully obtain an immigrant visa to enter and reside in the United States

in violation of Title 8 United States Code, Section(s) 1325(c)

I further state that I am a(n) Special Agent and that this complaint is based on the following facts:


(SEE ATTACHED AFFIDAVIT)

Continued on the attached sheet and made a part hereof:

☒ Yes

☐ No

FILED  
APR 19 2005  
CLERK'S OFFICE  
DETROIT

  
Signature of Complainant  
Alexander R. McLellan, Special Agent  
Immigration and Customs Enforcement

Sworn to before me and subscribed in my presence,

April 19, 2005  
Date

at Detroit, Michigan  
City and State

Hon. Steven D. Pepe  
United States Magistrate Judge  
Name & Title of Judicial Officer

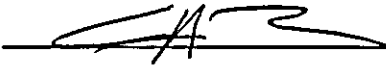
  
Signature of Judicial Officer

**AFFIDAVIT**

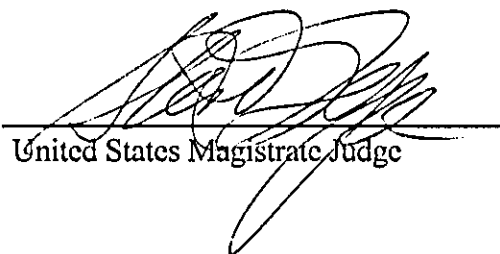
**Alexander R. McLellan**, declares the following under penalty of perjury:

1. I am a Senior Special Agent of the Immigration and Customs Enforcement (ICE), United States Department of Homeland Security. I am assigned to the Office of Investigations, Special Agent in Charge, Detroit, Michigan with offices located at 477 Michigan Avenue, Suite 1850, Detroit Michigan 48226. I have served in this position since August 24, 2003. I was previously employed by ICE, and its predecessor agency the Immigration and Naturalization Service, as a Deportation Officer and Immigration Inspector since November 28, 1993.
2. The information set forth below is for the limited purpose of establishing probable cause. Therefore, this affidavit does not necessarily contain all of the information collected during my investigation.
3. Mohamad Ali Fawaz was born May 1, 1976 at Tebnine, Lebanon. He is a native and citizen of Lebanon.
4. On May 6, 2002 Mohamad Ali Fawaz entered the United States at Detroit, Michigan. At that time he presented a Lebanese passport number 1422809 and a United States nonimmigrant visa number 46766661 with a visa classification of K-1. The K-1 visa is issued to aliens who desire to enter the United States for the express purpose of marrying a United States citizen.
5. Mohamad Ali Fawaz was married to Amal Hussein Fawaz, a United States citizen, on May 25th, 2002 at Dearborn, Michigan. On May 31, 2002 Mohamad Ali Fawaz filed form I-485, Application to Register Permanent Resident or Adjust Status with the Immigration and Naturalization Service. On May 31, 2002 the Immigration and Naturalization Service adjusted the status of Mohamad Ali Fawaz from K-1 to conditional permanent resident CF-1 and he was given an alien registration file number A79 605 513.
6. On or about February 22, 2003, Mohamad Ali Fawaz left the marital home and returned to Lebanon. Mohamad Ali Fawaz has had no contact with Amal Hussein Fawaz since that date.
7. Mohamad Ali Fawaz's passport number 1422809 shows he entered Lebanon on February 26, 2003.
8. On March 21, 2003, Amal Hussein Fawaz filed a complaint for annulment (case number 03-309195 DZ) of the marriage with the Circuit Court for Wayne County, Family Division located at Detroit, Michigan. In the complaint, Amal Hussein Fawaz alleges that the marriage was never consummated and that Mohamad Ali Hussein entered into the marriage with fraudulent intent and with the sole purpose of obtaining an immigration benefit. A judgment of annulment in that case was issued on July 30, 2003.

9. Based on the above information, probable cause exists to believe that Mohamad Ali Fawaz, A79 605 513 knowingly entered into a marriage for the sole purpose of evading any provision of the immigration laws of the United States in violation of Title 8, United States Code, Section 1325(c).

  
\_\_\_\_\_  
Alexander R. McLellan  
Senior Special Agent  
Immigration and Customs Enforcement  
477 Michigan Avenue, Suite 1850  
Detroit, MI 48226

Sworn to before me and subscribed in my presence this 19 day of April, 2005.

  
\_\_\_\_\_  
United States Magistrate Judge

\_\_\_\_\_  
Date